

REMARKS

Claims 1-13 are pending. Applicant has canceled claims 14-33.

The Examiner has issued a restriction requirement classifying the claims as follows:

Invention	Claims
I	1-18 and 27-33
II	19-26

Applicant hereby elects invention I (claims 1-18 and 27-33) without traverse.

The Examiner has rejected claims 1-6 and 10-13 under 35 U.S.C. § 103(a) as being unpatentable over Youden in view of Gordon and claims 7-9 under 35 U.S.C. § 103(a) as being patentable over Youden and Gordon in view of Suzuki. Applicant respectfully traverses these rejections.

Claims 1-9 are directed to switching the playback speed of a stream of data "without a user-detectable break between the rendering at the first playback speed and the rendering at the second playback speed," and claims 10-13 are directed "switching to rendering a second stream of data at a different playback speed than the first stream of data without a user-detectable break between the first and second streams."

The Examiner correctly notes that "Youden fails to explicitly disclose switching without a user-detectable break." (Office Action, July 8, 2004, page 6.) To cure this deficiency, the Examiner relies on Gordon as a teaching "seamless switching between streams." Gordon, however, neither teaches nor suggests seamless switching between streams when the playback speed of a stream is changed. Rather, Gordon simply describes seamless switching between one page of an interactive program guide and another page of the interactive program guide, which is being displayed at a constant rate. Thus, the combination of Youden and Gordon would at best suggest that seamless

switching of streams transmitted at the same rate, but does not teach or suggest how to perform seamless switching when the playback rate of a stream changes.

In view of the above amendment and remarks, applicant believes the pending application is in condition for allowance.

The Petition fee is enclosed. Please credit any overpayment or charge any deficiency to our Deposit Account No. 50-0665, under Order No. 418268858US from which the undersigned is authorized to draw.

Dated: June 1, 2005

Respectfully submitted,

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